

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF PENNSYLVANIA

ELY BELL,

Plaintiff

vs.

CORRECTION OFFICE BLUME, et al.,

Defendants

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CIVIL NO. 4:CV-08-0589

(Judge Jones)

DEFENDANTS' ANSWER TO COMPLAINT WITH AFFIRMATIVE DEFENSES

The Defendants, by and through their counsel, hereby answers the Plaintiff's
Complaint as follows:

All allegations contained in Plaintiff's Complaint are denied as stated. Strict proof
thereof is demanded at the time of trial.

WHEREFORE, the Defendants respectfully request that Plaintiff's Complaint be
dismissed and judgment be entered in their favor, together with the costs of this action.

AFFIRMATIVE DEFENSES

First Affirmative Defense

Plaintiff's Complaint fails to state a claim upon which relief can be granted against the Defendants.

Second Affirmative Defense

Plaintiff's claims are barred or limited by the expiration of the applicable statute of limitations.

Third Affirmative Defense

Plaintiff's claims are barred due to his failure to fully exhaust administrative remedies.

Fourth Affirmative Defense

This Court lacks subject matter jurisdiction over the alleged claims set forth in Plaintiff's Complaint.

Fifth Affirmative Defense

Plaintiff's claims are barred by the Doctrine of Absolute Immunity.

Sixth affirmative Defense

Plaintiff's claims are barred by the Doctrine of Qualified Immunity.

Seventh Affirmative Defense

Plaintiff's Complaint should be dismissed as to some or all Defendants due to the insufficiency of process and the service of process.

WHEREFORE, Defendants respectfully request that Plaintiff's Complaint be dismissed and judgment be entered in their favor, together with the costs of this action.

Respectfully submitted,

S/Thomas B. Helbig, Esquire
305 Linden Steet
Scranton, PA 18503
(570) 558-1430
ID# 35348
Tbhelbig3@aol.com
Attorney for Defendants